

FIRST REGULAR SESSION

# SENATE BILL NO. 419

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Read 1st time March 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1893S.011

## AN ACT

To repeal section 84.830, RSMo, and to enact in lieu thereof one new section relating to the Kansas City police department, with existing penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 84.830, RSMo, is repealed and one new section enacted

2 in lieu thereof, to be known as section 84.830, to read as follows:

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or  
2 shall be in any manner concerned in soliciting, any assessment, contribution, or  
3 payment for any political purpose whatsoever from any officer or employee in the  
4 service of the police department for such cities or from members of the said police  
5 board.] No officer, agent, or employee of the police department of such cities shall  
6 permit any [such] solicitation **for political purpose** in any building or room  
7 occupied for the discharge of the official duties of the said department. [No  
8 officer or employee in the service of said police department shall directly or  
9 indirectly give, pay, lend, or contribute any part of his salary or compensation or  
10 any money or other valuable thing to any person on account of, or to be applied  
11 to, the promotion of any political party, political club, or any political purpose  
12 whatever.]

13 [2.] No officer or employee of said department shall promote, remove, or  
14 reduce any other official or employee, or promise or threaten to do so, for  
15 withholding or refusing to make any contribution for any political party or  
16 purpose or club, or for refusal to render any political service, and shall not  
17 directly or indirectly attempt to coerce, command, or advise any other officer or  
18 employee to make any such contribution or render any such service. No officer  
19 or employee in the service of said department or member of the police board shall

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 use his official authority or influence for the purpose of interfering with any  
21 election or any nomination for office, or affecting the result thereof. No officer or  
22 employee of such department shall [be a member or official of any committee of  
23 any political party, or be a ward committeeman or committeewoman, nor shall  
24 any such officer or employee] solicit any person to vote for or against any  
25 candidate for public office, or "poll precincts" or be connected with other political  
26 work of similar character on behalf of any political organization, party, or  
27 candidate **while on duty or while wearing the official uniform of the**  
28 **department. No officer or employee of such department shall be a**  
29 **candidate for partisan public office.** All such persons shall, however, retain  
30 the right to vote as they may choose and to express their opinions on all political  
31 subjects and candidates.

32 [3.] 2. No person or officer or employee of said department shall affix any  
33 sign, bumper sticker or other device to any property or vehicle under the control  
34 of said department which either supports or opposes any ballot measure or  
35 political candidate.

36 [4.] 3. No question in any examination shall relate to political or  
37 religious opinions or affiliations, and no appointment, transfer, layoff, promotion,  
38 reduction, suspension, or removal shall be affected by such opinions or  
39 affiliations.

40 [5.] 4. No person shall make false statement, certification, mark, rating,  
41 or report with regard to any tests, certificate, or appointment made under any  
42 provision of sections 84.350 to 84.860 or in any manner commit or attempt to  
43 commit any fraud preventing the impartial execution of this section or any  
44 provision thereof.

45 [6.] 5. No person shall, directly or indirectly, give, render, pay, offer,  
46 solicit, or accept any money, service, or other valuable consideration for or on  
47 account of any appointment, proposed appointment, promotion to, or any  
48 advancement in, a position in the service of the police departments of such cities.

49 [7.] 6. No person shall defeat, deceive, or obstruct any person in his right  
50 to examination, eligibility, certification, appointment or promotion under sections  
51 84.350 to 84.860, or furnish to any person any such secret information for the  
52 purpose of affecting the right or prospects of any person with respect to  
53 employment in the police departments of such cities.

54 [8.] 7. Any officer or any employee of the police department of such cities  
55 who shall be found by the board to have violated any of the provisions of this

56 section shall be discharged forthwith from said service. It shall be the duty of the  
57 chief of police to prefer charges against any such offending person at once. Any  
58 member of the board or of the common council of such cities may bring suit to  
59 restrain payment of compensation to any such offending officer or employee and,  
60 as an additional remedy, any such member of the board or of the common council  
61 of such cities may also apply to the circuit court for a writ of mandamus to compel  
62 the dismissal of such offending officer or employee. Officers or employees  
63 discharged by such mandamus shall have no right of review before the police  
64 board. Any person dismissed or convicted under this section shall, for a period  
65 of five years, be ineligible for appointment to any position in the service of the  
66 police department of such cities or the municipal government of such cities. Any  
67 persons who shall willfully or through culpable negligence violate any of the  
68 provisions of this section may, upon conviction thereof, be punished by a fine of  
69 not less than fifty dollars and not exceeding five hundred dollars, or by  
70 imprisonment for a time not exceeding six months, or by both such fine and  
71 imprisonment.

Bill ✓

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